

DEPARTMENT OF SOCIAL SERVICES

744 P STREET, SACRAMENTO, CALIFORNIA 95814



December 17, 1998

ALL-COUNTY INFORMATION NOTICE NO. I-74-98

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
☐ Federal Law or Regulation Change
☐ Court Order or Settlement Agreement
☐ Clarification Requested by One or More Counties
☐ Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD CARE COORDINATORS
ALL ALTERNATIVE PAYMENT PROGRAM PROVIDERS
ALL RESOURCE AND REFERRAL AGENCIES
ALL LOCAL PLANNING COUNCILS

SUBJECT: IMPLEMENTATION OF AB 2779, CHAPTER 329, STATUTES OF 1998, AND SENATE BILL (SB) 933, CHAPTER 311, STATUTES OF 1998, BUDGET TRAILER BILLS; AND AB 2772, CHAPTER 902, STATUTES OF 1998, TECHNICAL AMENDMENTS

REFERENCE: AB 2779, CHAPTER 329, STATUTES OF 1998; SB 933, CHAPTER 311, STATUTES OF 1998, AB 2772, CHAPTER 902, STATUTES OF 1998, ACL 97-73, ACL 98-46, ACL 98-52

On August 21, 1998, Assembly Bill (AB) 2779 (Chapter 329, Statutes of 1998) and on August 18, 1998, Senate Bill (SB) 933, (Chapter 311, Statutes of 1998) were signed by the Governor. The bills were enacted as trailer bills to the State Budget. In addition, AB 2772, Chapter 902, Statutes of 1998, containing technical amendments to AB 1542, was enacted on September 28, 1998. These bills contain a number of changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) Child Care program. The purpose of this letter is to provide counties with information about these significant changes.

The changes made by AB 2779 include the following:

- The bill establishes categorical eligibility for child care for CalWORKs recipients who are participating in a welfare-to-work activity in all three stages of CalWORKs child care.

This will eliminate any additional determination for child care eligibility and ensure that recipient families continue to receive necessary child care services as they transition between the stages.

- AB 2779 standardizes the calculation that determines the amount of family fee that is paid. In all of the stages, agencies will compute a family fee using the existing method that the California Department of Education (CDE) requires Alternative Payment Providers (APP) to follow, except that income from SSI/SSP will be disregarded.
- The bill ensures equal treatment of former recipients in Stages One and Two by instituting the same time limits for child care in Stage One that exist in Stage Two. Former recipients who remain in Stage One will be eligible for a total of 24 months of child care in either Stage One or Two.
- The bill clarifies that the 24 month time clock begins when a family leaves cash aid. It also clarifies that eligibility for former recipients in Stage Three is based on income, not just wages.
- AB 2779 requires that any child care provider training funded by either the California Department of Social Services (CDSS) or CDE must include information on becoming a licensed child care provider.
- The bill continues the requirement for Trustline registration for Stage One license-exempt providers to receive reimbursement.

The changes made by SB 933 include the following:

- Effective January 1, 1999, SB 933 requires that all subsidized, license-exempt child care providers who are subject to Trustline registration be cleared through the Federal Bureau of Investigations (FBI) in addition to California's criminal history system.
- SB 933 also encourages the Department to provide an electronic fingerprint scanning process, known as Livescan. Livescan (fingerprint imaging), eliminates the need to ink roll an individual's fingers to conduct a criminal background check. The advantage of Livescan includes more expeditious background checks and more accurate personal information to be transmitted to the Department of Justice.

The changes made by AB 2772 include the following:

- Clarifies that county welfare departments can provide Stage I child care to CalWORKs applicants who choose to participate as volunteers.
- Clarifies that families who receive lump-sum diversion payments as well as diversion services, may receive child care in Stage III or, if funds are not available, in Stage II. In addition, it clarifies that the provision of the two-year time limit for Stage One and/or Stage Two is not intended to limit eligibility for child care in Stage Three.

- Allows agencies to reimburse parents directly for child care when care is provided in the home of the recipient. It also requires that parents be informed of their legal and financial requirements when in-home care is selected.
- Clarifies that information necessary to administer subsidized child care programs must be shared between county welfare departments and private agencies.

We believe these statutory changes will have a significant impact on minimizing the barriers for a smooth transition between the stages. The Department is in the process of readopting the emergency regulations filed on July 1, 1998, to incorporate these changes. To view these bills, you may point your web browser to www.leginfo.ca.gov/bilinfo.html. If you have any questions about the information contained in this letter please call your child care analyst in the CalWORKs Child Care Bureau at (916) 657-2144.

Sincerely,

Original Document Signed By

JO WEBER, Chief
Work Services Branch